

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JACQUELINE TATE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:07CV310-SA-DAS

MICHAEL J. ASTRUE,
Commissioner of Social Security

DEFENDANT

ORDER AWARDING ATTORNEY FEES

Before the court are the plaintiff's motion [doc. 20] for payment of attorney fees and supporting memorandum [doc. 21] and the defendant's response [doc. 22]. In these proceedings, the plaintiff sought judicial review of the final decision of the Commissioner of Social Security, denying her claim for benefits. By Order [doc. 19] dated March 5, 2009, the court remanded this case to the Commissioner for further proceedings. The plaintiff now seeks attorney fees pursuant to 28 U.S.C. §2412(d), the Equal Access to Justice Act ("EAJA"). Through the Motion and attached exhibits, the plaintiff requests an award of \$4,245.85 in attorney fees and expenses and \$350.00 in costs from the Judgment Fund. The defendant agrees that the plaintiff is entitled to the requested award of fees and expenses.

The court, having considered the foregoing and the record of this case, finds the requested amount is reasonable and appropriate. Therefore, it is

ORDERED that the plaintiff's motion for payment of attorney fees under the Equal Access to Justice Act is hereby **GRANTED**, and the plaintiff's attorney is hereby awarded the sum of \$4,245.85 in attorney fees plus \$350.00 in costs from the Judgment fund.

THIS, the 23rd day of April, 2009.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE